

1
2
3
4
5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
7

8 HIRAM C. SEDANO, et al.,

2:11-CV-1144 JCM (PAL)

9 Plaintiffs,

10 v.

11 STATE OF NEVADA, et al.,

12 Defendants.
13

14 **ORDER**

15 Presently before the court is defendants the State of Nevada, Attorney General Catherine
16 Cortez Masto, and Deputy Attorney General Kimberly Okezie's motion to dismiss for lack of subject
17 matter jurisdiction. (Doc. #9). Plaintiffs Hiram Sedano and Lidia Sedano have failed to file an
18 opposition.¹

19 Also before the court is defendant Brian Snyder's motion to dismiss for lack of subject matter
20 jurisdiction. (Doc. #13). Plaintiffs have failed to file an opposition.

21 Also before the court is plaintiffs' motion for default judgment against defendants. (Doc.
22 #12). Defendant Brian Snyder has responded (doc. #14) and defendants the State of Nevada,
23 Attorney General Cortez, and Deputy Attorney General Okezie have responded (doc. #16). Plaintiff
24
25
26

27 ¹As explained more fully above, the court is interpreting plaintiff's counter motion to dismiss
28 for lack of subject matter jurisdiction as an opposition to document 9.

1 did not file a reply.²

2 Plaintiffs have also filed a counter motion for default judgment (doc. #17) and a counter
3 motion to dismiss for lack of subject matter jurisdiction (doc. #18). The court believes plaintiffs,
4 who are proceeding pro se, intended the counter motion for default judgment to serve as a reply to
5 documents 14 and 16, and the counter motion to dismiss as a response to document 9. The court will
6 consider the counter motions accordingly.

7 The court finds that there is no federal question appearing on the face of the complaint.
8 Additionally, plaintiffs have failed to establish that diversity jurisdiction is proper.

9 Accordingly,

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that defendant State of
11 Nevada, Attorney General Cortez, and Deputy Attorney General Okezie's motion to dismiss for lack
12 of subject matter jurisdiction (doc. #9) be, and the same hereby is, GRANTED.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that defendant Brian Snyder's
14 motion to dismiss for lack of subject matter jurisdiction (doc. #13) be, and the same hereby is,
15 GRANTED.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that plaintiffs motion for
17 entry of default judgment (doc. #12) be, and the same hereby is, DENIED.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the clerk of court correct
19 the docket to reflect that plaintiff's counter motion for default judgment (doc. #17) is plaintiff's reply
20 to documents 14 and 16.

21 ...

22 ...

23 ...

24 ...

25 ...

26

27 ²As explained more fully above, the court is interpreting plaintiff's counter motion for default
28 judgment as a reply to documents 14 and 16.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the clerk of court correct
2 the docket to reflect that plaintiff's counter motion to dismiss (doc. #18) is plaintiff's opposition to
3 document 9 and document 21 is defendants' reply thereto.

4 DATED September 6, 2011.

5
6 
7 UNITED STATES DISTRICT JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28